

Atty. Dkt. No. 200314226-1

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REMARKS

This Reply is in response to the Office Action mailed on June 23, 2006 in which claims 3, 4, 5-11, 13-18, 20-27, 29-33, 35, 39-41 and 43-47 were objected to and in which 1, 2, 12, 19, 28, 34, 36-38, 42 and 48-58 were rejected. With this response, claim 21 is canceled; claims 1, 10, 12, 13, 15, 18, 22-23, 28-29, 31-33, 35, 37, 52 and 56-58 are amended; and claim 59 is added. Claims 1-20 and 22-59 are presented for reconsideration and allowance.

I. Voluntary Amendment to the Specification

With this response, paragraph [001] is amended to add the application serial number of the related application.

II. Objection to claims 12-13, 15, 35 and 58

Page 2 objected to claims 12-13, 15, 35 and 58 noting several formalities. In response, claim 12 is amended to replace "mass" with --- media --- which has antecedent basis in claim 1. Claim 18 is amended to add --fluidphilic -- before "material" which antecedent basis in line 1 of claim 18. Claim 58 is amended as suggested in the Office Action to replace "the formation" with -- formation --.

With respect to the objection of claims 15, and 35, Applicants respectfully request that such objections be withdrawn. The recitation of "the first portion" on line 1 of claim 15 has antecedent basis in claim 14. The recitation of "the outer" on line 4 of claim 35 has antecedent basis in line 2 of claim 35.

III. Rejection of Claims 1-58 under 35 USC 112, Second Paragraph

Pages 2 and 3 rejected claims 1-58 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out the invention. In view of the following remarks, Applicants respectfully request that such rejections be withdrawn.

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In rejecting claims 1 and 37, the Office Action asserted that "it is unclear what the' fluid supply media' on line 3 is, how the media can supply a fluid and where the fluid comes from. In response, Applicants respectfully note that the term "fluid supply media" simply means that the media is part of the fluid supply. Just as a "drive shaft" in a transmission does not itself provide the driving power, the media itself does not supply fluid. Nevertheless, the claims are voluntarily amended to remove the adjective "fluid supply" before "media" to facilitate allowance of the present case.

With respect to claim 10, the Office Action asserted that it is unclear whether the recitation "material" is an additional material to that recited in line 2 of claim 2. Claim 10 is amended to clarify that the recitation "material" in claim 10 is the same as that recited in claim 2.

With respect to claims 13, 32 and 52, the Office Action asserted that it is unclear whether the "lamellae inhibiting agent" recited is the same as that recited in earlier claims. With respect to claim 35, the Office Action asserted that it is unclear whether the "outer" is the same as recited earlier in the claim. In response, each of such claims is amended to clarify that the term is referring to the previously cited term providing such antecedent basis.

With respect to claim 12, the Office Action asserted that the recitation "the mass" is unclear. In response, the recitation "the mask" is replaced with -- the media --. The Office Action further asserted that the recitation "plurality of lengths" is unclear as to how it is shown in the drawings. Applicant respectfully notes that a plurality of lengths is clearly illustrated and described in the specification. Applicants refer the Examiner's attention to paragraph [0038] which defines a "length" and which also identifies such a length with reference 252. The Office Action further asserts that the same is true for claim 37. However, claim 37 does not include either the recitation "mass" or the recitation "length".

With respect to claims 18 and 47, the Office Action asserts that it is unclear how the agent can have both minimum and maximum "qualities" and where the "material" and "fluid" come from. Applicants respectfully note that claims 18 and 47 do not recite minimum and

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maximum "qualities", but recite minimum and maximum quantities. Such claims recite a range of the quantity of the agent in the media. In other words, the media has a minimum quantity that is necessary to limit lamellae formation and has a maximum quantity such that the agent does not prevent uptake of fluid by the fluidphilic material. In addition, the recitation "material" is amended to clarify that it is the fluidphilic material to which is being referred. The recitation "fluid" refers to the fluid that is to be supplied by the fluid supply. Applicants note that the fluid is not positively recited in either claim 18 or claim 47.

With respect to claim 19, the Office Action asserts that is unclear how the agent can be exposed along each pore and from where the pore comes. Applicants respectfully note that a pore or cell is part of the media and as one of ordinary skill in the art knows, a pore is an opening, orifice, cavity, space and the like.

With respect to claim 28, the Office Action asserts that is unclear how one length can be non-symmetrical cross-sectional shape since the length is only a dimension of the media. Applicants once again respectfully refer the Examiner to Paragraph [0038] which defines the recitation "length". Applicants further refer the Examiner's attention to Figure 13 which illustrates one example of a length having a non-symmetrical cross-sectional shape.

With respect to Claim 56, the Office Action asserted that it is unclear how the agent can be "retained" relative to the material. As one of ordinary skill in the art notes, the term "retained" means to hold in place or position with respect to another structure. Claim 56 is not to be limited as to how the agent is retained relative to the material proximate to the pores.

With respect to claim 57, the Office Action asserted that it is unclear what the "lamellae" is or how it can be formed. Applicants respectfully refer to the Examiner's attention to Paragraph [002] which describes a lamellae and how it may be formed.

With respect to line 4 of claim 57, the Office Action asserted that it is unclear as to how the means may be coupled to the material and how this limitation reads on a preferred

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embodiment or is seen in the drawings. Once again, claim 57 is not to be limited as to how the means for inhibiting formation of lamellae agent across the pores is coupled to the material. Various examples of how the agent is coupled to the material or media are presented in the Application. For example, Paragraph [0041] describes the agent as being coated upon the lengths. Paragraph [0045] describes that the agent may be a fiber joined to fibers of the media. Paragraph [0046] describes such agents provided as being coupled to the media at the ends are tips of lobes. These are just examples of a multitude of various methods by which the agent may be coupled to the media.

With respect to claim 58, the Office Action asserts that it is unclear how the fluid can contact the pores with an agent, what the "discharge location" is, where the agent comes from or how the material can "wick" the fluid through the reservoir. Applicants respectfully note that claim 58 does not recite contacting the pores with an agent but recites that the fluid is contacted along the pores with an agent. With regard to the recitation "wick", Applicants respectfully refer the Examiners attention to Paragraph [[0027] which describes how wicking is achieved. Various structures may be used to perform the method steps such as wicking the fluid. Applicants do not intend to be limited to any particular structure for wicking fluid in method claim 57. As one of ordinary skill in the art would clearly know, a "discharge location" in the context of a fluid supply is a place where fluid is discharged. Thus, in light of such clarifying remarks, Applicants respectfully request that the rejection of the claims under 35 USC section 112 be withdrawn.

IV. Rejection of Claims 1-2 12, 19, 28, 34, 36-38, 42, 48-51 and 56-58 under 35 USC 103(a) and Joe and Lee

Page 4 of the Office Action rejected claims 1-2, 12, 19, 28, 34, 36-38, 42, 48-51 and 56-58 under 35 USC 103(a) as being unpatentable over Joe et al. US Patent 6,692,115 in view of Lee et al. US Patent Application 2003/0047109. Claims 1-2, 12, 19, 28, 34, 36-38, 42, 48-51 and 56-58, as amended, overcome the rejection based on Joe and Lee.

A. Claim 1

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Page 7 of the Office Action indicated that claim 21 would be allowable if rewritten in independent form to include all of the limitations of the base claim in any intervening claims. Claim 21 is canceled with its limitations incorporated into base claim 1. Accordingly, claim 1, as amended, overcomes the rejection based on Joe and Lee. Claim 2, 12, 19, 28, 34 and 36 depend from claim 1 and overcome the rejection for the same reasons.

B. Claim 37

Claim 37, as amended, recites a fluid deposition system which includes a media within the reservoir that includes a lamellae inhibiting agent prior to the media being in contact with the fluid.

Neither Joe nor Lee, alone or in combination, disclose or suggest a fluid deposition systems which includes a fluid supply having a reservoir and a media within the reservoir that includes a lamellae inhibiting agent prior to the media being in contact with the fluid. The Office Action acknowledges that Joe does not disclose a lamellae inhibiting agent. As a result, the Office Action attempts to additionally rely upon Lee by asserting that the ink of Lee would be absorbed in the media of Joe. However, claim 37, as amended, specifically recites that the media includes the lamellae inhibiting agent prior to the media being in contact with the fluid. Thus, Lee cannot be relied upon for somehow adding a lamellae inhibiting agent to the media. The Office Action specifically acknowledges that Joe itself does not include a lamellae inhibiting agent. Accordingly, claim 37, as amended, overcomes the rejection based on Joe and Lee. Claims 38 and 48-51 depend from claim 37 and overcome the rejection for the same reasons.

C. Claim 42

The Office Action indicated that claim 42 was rejected based on Joe in view of Lee. However, Applicants note that claim 42 depends from claim 41, an objected to claim. Thus, Applicants respectfully request of the rejection of claim 42 be withdrawn.

D. Claims 56 and 57

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Claim 56, as amended, recites a media for use in a fluid supply. The media includes a material having pores and a lamellae inhibiting agent retained relative to the material proximate to the pores prior to the media being in contact with a fluid to be supplied by the fluid supply.

Claim 57, as amended, recites the fluid supply that includes a material having pores within a reservoir and means coupled to the material for inhibiting formation of lamellae across the pores, the means being coupled to the media prior to the material contacting a fluid to be supplied by the fluid supply.

As noted above with respect to claim 37, neither Joe nor Lee, alone or in combination, disclose or suggest the media or the fluid supply of claims 56 and 57. The Office Action acknowledges that Joe does not disclose a lamellae inhibiting agent. Claim 56 and 57 are both amended to preclude reliance upon Lee for allegedly adding such an agent through its ink. Accordingly, claims 56 and 57, as amended, overcome the rejection based on Joe and Lee.

E. Claim 58

Claim 58, as amended, recites a method which includes depositing fluid into a reservoir, where the fluid has a surface tension in contacting the fluid along the pores with a lamellae inhibiting agent having a surface energy at least 5 dynes per centimeter less than the surface tension.

With respect to former claim 21, the Office Action acknowledged that the prior art of record fails to disclose media configured to receive a fluid having a surface tension, wherein the agent has a surface energy at least 5 dynes per centimeter less than the surface tension. Accordingly, claim 58, as amended, overcomes a rejection and is in condition for allowance.

V. Added Claims

With this response, claim 59 is added. Claim 59 depends from claim 1 and recites that the media includes the lamellae inhibiting agent prior to contact with a fluid to be supplied by the

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fluid supply. Because of the prior or to record fails to disclose such a fluid supply, added claim 59 is presented for consideration and allowance.

VI. Conclusion

After amending the claims as set forth above, claims 1-20 and 22-59 are now pending in this application.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

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Respectfully submitted,

Date Sept. 20, 2006

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